

## **REMARKS/ARGUMENTS**

### **Claim Rejections – 35 U.S.C. § 102(e)**

The Examiner rejected claims 11-20 under 35 U.S.C. § 102(e) as being anticipated by Hose (US 7,024,205 B1). Applicant respectfully disagrees.

Hose discloses providing subscriber delivered and personalized location-based services. In one embodiment, the invention is implemented in an intelligent wireless network (100). A subscriber initiates the location-based service process by entering a service request using a wireless telephone (102). The request is transmitted to an intelligent network platform (112) via cell site equipment (108) and MSC (110). An application implementing the process that runs on the platform (112) receives subscriber profile information (114), location finding equipment inputs (116) and service information (118) related to the service request. Based on these inputs, the application selects location-based service data that is transmitted to the telephone (102) via a data server (120), the MSC (110) and the cell site equipment. (Hose, Abstract)

The Examiner's attention is directed to the fact that Hose fails to disclose "at least one uniquely identifiable tangible second type tag, identifying a media access point in said physical area, the second type tag activating a media session when the first type tag is carried into the physical area within close proximity of the second type tag" as recited in independent claims 1 and 16.

The present invention discloses, in one embodiment, providing at least one first type tag and a second type tag identifying a media access point. When the first and second tags are brought into close proximity of each other, information relating to the tags is communicated to an administrative system.

In contrast Hose teaches determining the location of a device using an LFE or an external source such as a GPS system. Then, when the user requests location based services, providing services based on the determined location. Since Hose suggests that an LFE or an external system such as a GPS system may be used to find the user location, Hose teaches away from the solution of the present invention where the

relevant location information only comprises the position of the first type tag relative to the position of the second type tag.

Therefore, independent claims 11 and 16 are patentable over the cited art. Claims 12-15 and 17-20 are patentable at least by virtue of depending from their respective base claims. The allowance of claims 11-20 is respectfully requested.

### **CONCLUSION**

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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